

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THOMAS J. KROB,)
)
 Plaintiff,)
)
 v.) Case No. 12 C 4975
)
CHICAGO POLICE DEPARTMENT, et al.,)
)
 Defendants.)

MEMORANDUM ORDER

Thomas Krob ("Krob") has sued the Chicago Police Department ("Department") and the City of Chicago ("City"), invoking the Uniformed Services Employment and Reemployment Rights Act of 1994 and the similar Illinois statute because of the asserted failure to reemploy him after he was discharged from active duty in the Illinois Air National Guard. Although this Court is contemporaneously issuing its customary initial scheduling order, this memorandum order is issued *sua sponte* because of a procedural flaw in Krob's Complaint.

As its name indicates, Department is not a legal entity with power to sue and be sued -- indeed, Complaint ¶5 essentially recognizes that. That being the case, the City is Krob's employer and will be treated as the sole defendant here.

Milton I. Shadur
Milton I. Shadur
Senior United States District Judge

Date: June 26, 2012.